



03-04-04 Image RECEIVED

PTO/SB/30 (09-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/553993
Filing Date	20-April-2000
First Named Inventor	GUNDERSON, Kevin
Art Unit	1634
Examiner Name	Betty J. Forman
Attorney Docket Number	039751-0302546

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2212

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Vicki G. Norton	Registration No. (Attorney/Agent)	40,745
Signature	<i>Vicki G. Norton</i>	Date	02-March-2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Abigail Rivamonte EL 989434685 US
Signature	<i>Abigail Rivamonte</i>

Date 02-March-2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/05/2004 HVUONG1 00000068 502212 09553993

02 FC:2801 385.00 DA



CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "Express Mail Post Office to Addressee" service of the United States Postal Service (Express Mail Label No. EL 989434685 US) on the date shown below in an envelope addressed to Mail Stop RCE, Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dated: March 2, 2004

By: 

Abigail A. Rivamonte

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE				PATENT APPLICATION	
In re: PATENT APPLICATION of:			Group Art Unit	1634	
Inventor(s):	Kevin Gunderson		Examiner:	Betty J. Forman	
Appln. No.:	09	553,993	Atty. Dkt.	039751-0302546	
	Series Code ↑	Serial No. ↑		C-M	Client Ref
Filed:	20-April-2000		R R C E E	DO NOT USE FOR PROVISIONAL, DIVISIONAL, CIP OR DESIGN APPLICATIONS, OR REEXAMINATION OF PATENTS	
Title:	DETECTION OF NUCLEIC ACID REACTION ON BEAD ARRAYS				

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: March 2, 2004

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

Please continue the examination of this application.

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action must be enclosed or previously filed.

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed March 2, 2004
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed ___ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which charge the required \$130 fee (fee code 1808) to our Deposit Account (see below).
7. Petition is hereby made to extend the original due date of 02-Jan-04 to cover the date this Request is filed. PLEASE CHARGE the requisite fee to our Deposit Account (see below)

(1 mo)	\$110/\$55	
(2 mos)	\$420/\$210	\$210
(3 mos)	\$950/\$475	
8. PLEASE CHARGE the Rule 17(e) (RCE) filing fee of ☐ \$770 (lg. ent.) ☒ \$385 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit Account No. 05-2212 under Order No. 039751-0302546

NOTE: Rule 17(e) filing fee Cannot be deferred!
NO CLAIMS FEE REQUIRED unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.

11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
(619) 234-5000
Atty/Sec: VGN/aar

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty:

Vicki G. Norton

Reg.
No.

40,745

Sig:

Vicki G. Norton
March 2, 2004

Fax: (858) 509-4010
Tel: (858) 509-4093

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)